

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on January 24, 2000 in Room 313-S of the Capitol.

All members were present except:

Representative Phill Kline - excused
Representative Kathe Lloyd - excused

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department
Mike Heim, Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Sheriff Loren Anderson, Douglas County Sheriff, Kansas Sheriff's Association
Representative Becky Hutchins
Mike Hayes, State Association of Sports Officials
John Deedrick, Kansas Association of Sports Official

Hearing on **HB 2557 - Aggravated battery against a law enforcement officer; use of a motor vehicle**, were opened.

Sheriff Loren Anderson, Douglas County Sheriff, Kansas Sheriff's Association, appeared before the committee in support of the bill. He commented that the proposed bill would simply put motor vehicles in the same status as a weapon because drivers can cause harm to officers and the public by speeding away from the police. ([Attachment 1](#))

Hearing on **HB 2557** was closed.

Hearing on **HB 2274 - Crimes & punishment, battery against a sports official**, were opened.

Representative Becky Hutchins appeared as the sponsor of the bill. She informed the committee that there has been an increase in incidents of harm against sports officials. Since 1987 there has been 12 states that have passed similar legislation. All officials are conditioned to take verbal abuse but physical abuse crosses the line. The proposed bill would simply increase the amount of the fine, not the amount of time the perpetrator serves. ([Attachment 2](#))

Mike Hayes, State Association of Sports Officials, informed the members that they have the most trouble with college sports, not necessarily the students. Usually there is some bumping or fist thrown and those are ejected from the game. The concern is when there is more physical harm on the official. ([Attachment 3](#))

John Deedrick, Kansas Association of Sports Official, stated that it's a scary feeling when a group of spectators jump on an official or take bats to them. He stated that there needs to be stiffer penalties when it comes to battery of official.

Numerous individuals provided written testimony. ([see Attachments 4 - 11](#))

Hearing on **HB 2274** was closed.

HB 2600 - exclusions to jury service

Representative Carmody made the motion to report HB 2600 favorably for passage. Representative Lightner seconded the motion. The motion carried.

HB 2372 - retirement system for justices and judges

CONTINUATION SHEET

Representative Carmody made the motion to amend HB 2372 by making it effective upon publication in the Kansas Register and report favorably for passage. Representative Flaharty seconded the motion.

Representative Klein requested that the committee hold off working the bill due to concerns from some of the committee members. He was asked what the concerns were and Representative Powell explained that there is a judge in Sedgwick County who many believed shouldn't be allowed to retain his seat or run again. He suggested that if there is an effective date he would rather it be later, than sooner.

Representative Powell made a substitute amendment to delay the effective date until January 1, 2001. Representative Long seconded the motion. Representative Klein was concerned that the substitute amendment would effect someone on the Supreme Court or Court of Appeals. Representative Flaharty stated that this is not the proper way to take care of this judge but that the retirement age should be fair and effect everyone equally. The motion failed.

Representative Carmody renewed his motion. Representative Swenson made a substitute motion to table the bill. He believes that it would be bad public policy. Representative Powell seconded the motion. The motion carried.

The committee meeting adjourned at 4:30 p.m. The next meeting is scheduled for January 26, 2000.